

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

| | | |
|-----------------------------------|---|------------------------------|
| JUNIOR CLYDE NICKLES, |) | |
| |) | |
| Plaintiff, |) | Case No. 1:10CV00014 |
| |) | |
| v. |) | FINAL JUDGMENT |
| |) | |
| LIBERTY LIFE ASSURANCE |) | By: James P. Jones |
| COMPANY OF BOSTON, ET AL., |) | United States District Judge |
| |) | |
| Defendants. |) | |

For the reasons stated in the Opinion accompanying this Final Judgment, it is

ADJUDGED AND ORDERED as follows:

1. The Objections by the plaintiff to the magistrate judge's Report and Recommendations are OVERRULED and the magistrate judge's findings and recommendations are ACCEPTED;
2. The Motion for Summary Judgment by the plaintiff is DENIED;
3. Judgment is entered for the defendants; and
4. The clerk is directed to close the case.

ENTER: January 21, 2011

/s/ JAMES P. JONES
United States District Judge